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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/763,711	01/23/2004	Steven Allen Poll	35162.85001-001	7669

24335 7590 03/30/2005

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EXAMINER


NICHOLSON, ERIC K

ART UNIT PAPER NUMBER

3679

DATE MAILED: 03/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

 Interview Summary	Application No. 10/763,711	Applicant(s) POLL, STEVEN ALLEN	
	Examiner Eric K Nicholson	Art Unit 3679	

All participants (applicant, applicant's representative, PTO personnel):

- (1) Eric K Nicholson. (3) ____.
- (2) Chad Kleinheksel. (4) ____.

Date of Interview: 17 March 2005.

Type: a) ☒ Telephonic b) ☐ Video Conference
 c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.
 If Yes, brief description: ____.

Claim(s) discussed: newly presented (faxed) claim 1 (copy attached).

Identification of prior art discussed: the art used in the rejection of the claim in the final.

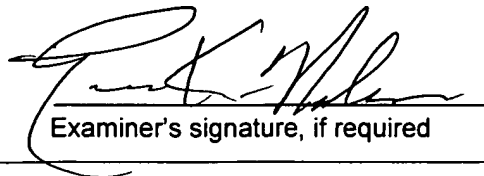
Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.


 Examiner's signature, if required

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent and Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: The newly amended claim 1 was discussed. I told Mr Kleinheksel that such an amendment presented at this time after final would not be entered due to the new issues in the claim that require further search and consideration. The issue of the deformation providing the friction fit as the cap is slid onto the conduit is the new issue that was not presented before. Further, the examiner takes issue with the seemingly process limitation in the product claim of sliding the cap to make the friction fit in order to define the claim over the prior art.



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Fax Cover Sheet

Date:	March 17, 2005	Pages:	4, including this cover sheet
To:	Examiner Eric K. Nicholson United States Patent and Trademark Office	From:	Chad E. Kleinheksel Warner Norcross & Judd LLP
Fax Number:	1-703-746-3608	Direct Dial:	616.752.2313
Telephone:		Direct Fax:	616.222.2318
		Email:	ckleinheksel@wnj.com
		Client Number:	035162.087599
Remarks:	Re: Serial No. 10/763,711 Filing Date: January 23, 2004 Applicant: Steven Allen Poll For: COMPRESSION CAP		

Attached are revised claims in reference to today's 2:00 p.m. telephone interview.

Confidentiality Notice The attached information is intended ONLY for the named addressee. It may contain confidential or privileged communications. If you receive this fax in error, you are requested to destroy it and contact the sender.

CLAIMS

The embodiments of the invention in which an exclusive property or privilege is claimed are defined as follows:

1. (Currently Amended) A one-piece unitary compression cap for installation onto a cylindrical conduit having a conduit diameter comprising:

a generally cylindrical wall having opposite longitudinal ends and a generally uniform thickness between said ends, said cylindrical wall having a wall diameter equal to or greater than said conduit diameter enabling said wall to slide onto the conduit;

a shoulder extending radially inwardly from one of said ends and forming a stop against the conduit; and

at least one inward deformation in said cylindrical wall, said deformation providing a friction fit between said cap and said conduit as said cap is slid onto the conduit.

2. (Original) The compression cap of claim 1 wherein said inward deformation comprises at least one rib.
3. (Original) The compression cap of claim 2 wherein said inward deformation comprises at least one longitudinal rib.
4. (Original) The compression cap of claim 1 comprising a plurality of said deformations approximately evenly spaced about the circumference of said wall.
5. (Original) The compression cap of claim 1 wherein said wall defines a hole proximate said one end proximate said shoulder.

6. (Original) The compression cap of claim 1 wherein said shoulder extends around the entire circumference of said one end of said wall.
7. (Original) The compression cap of claim 1 wherein the other end of said wall flares radially outwardly.
8. (Currently Amended) A plumbing connection comprising:
 - a fitting;
 - a conduit having an outer surface and an end in communication with said fitting; and
 - a one-piece unitary compression cap on said end of said conduit and compressed about said conduit to secure said conduit on said fitting, said cap including first and second ends, a cylindrical sidewall having a generally uniform thickness between said ends, and an inward deformation in said sidewall, said deformation engaging said conduit and providing a friction fit between said cap and said conduit.
9. (Original) The cap of claim 8 wherein said cap includes a plurality of said inward deformations spaced about the circumference of said cap.
10. (Original) The cap of claim 9 wherein at least some of said deformations are longitudinal ribs.
11. (Original) The cap of claim 8 wherein:
 - said cap includes first and second ends; and
 - said cap includes a shoulder extending radially inwardly from said first end, said conduit engaging said shoulder.
12. (Original) The cap of claim 11 wherein said cap defines a window proximate said first end, whereby said conduit is visible through said window.

13. (Original) The cap of claim 11 wherein said shoulder extends around the entire circumference of said first end of said cap.

14. (Original) The cap of claim 11 further comprising a lip extending radially outwardly from said second end of said cap.

15. (Currently amended) A method of mounting a conduit on a fitting comprising the steps of:

positioning a one-piece unitary compression cap on one end of the conduit, the cap including first and second ends, a cylindrical sidewall having a generally uniform thickness between said first and second ends, and at least one inwardly extending deformation in said cylindrical sidewall dimensioned to provide an interference fit between the cap and the conduit;

positioning the conduit end on the fitting creating an interference fit therebetween; and

compressing the cap to secure the conduit on the fitting.